

EXHIBIT 17

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EMIGRANT BANK AND PACIFIC
MERCANTILE BANK,

Plaintiffs,

- v -

SUNTRUST BANK; TRUIST BANK; AND
DOES 1 THROUGH 10, INCLUSIVE,

Defendants.

No. 1:20-cv-02391 (PGG)

EXPERT REBUTTAL REPORT OF JAMES BOLAND

January 18, 2024

Potential Incremental Reimbursements Considering Additional Lender Expenses^[1]

Assuming Costs in Connection with this Matter are Not Reimbursable

Lender(s)	Total Payment Received from Recovery		Difference
	Actual:	Alternative:	
	Considers Administrative Agent Expenses Only	Considers Administrative Agent and Additional Lender Expenses ^[2]	
	[a]	[b]	[c] = [b] - [a]
Emigrant Bank and Pacific Mercantile Bank (Plaintiffs)			
December 2020 Distributions	\$41,947.73	\$54,739.14	\$12,791.42
February 2021 Distributions	\$123,112.65	\$245,936.86	\$122,824.21
Total Distributions	\$165,060.38	\$300,676.00	\$135,615.62
Truist Bank			
December 2020 Distributions	\$86,686.44	\$76,982.60	-\$9,703.83
February 2021 Distributions	\$1,013,455.37	\$862,896.66	-\$150,558.71
Total Distributions	\$1,100,141.81	\$939,879.27	-\$160,262.54
Preferred			
December 2020 Distributions	\$9,472.07	\$6,384.48	-\$3,087.58
February 2021 Distributions	\$27,799.63	\$55,534.13	\$27,734.50
Total Distributions	\$37,271.70	\$61,918.61	\$24,646.92

Source: Complaint; EB00082768–9; EB00161509–19; EB00227304–38; TRUIST_00171582

Note:

[1] Assumes, holding everything constant, that Truist had requested that the other lenders submit requests for reimbursement associated with each recovery prior to distributing any of the funds obtained in December 2020 or February 2021 and each lender had fully complied with this request as of each recovery date. Assumes that the administrative agent's indemnifiable expenses are reimbursed first, followed by the indemnifiable expenses of the other lenders, followed by the distribution of remaining funds, if any to each lender on a *pro rata* basis.

[2] Assumes that Truist and other lenders were not entitled to reimbursement for costs incurred in connection with this action.